

# Buchanan

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March 7, 2025

**VIA CM/ECF**

The Honorable John G. Koeltl  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

**APPLICATION GRANTED  
SO ORDERED**

3/19/25   
John G. Koeltl, U.S.D.J.

**Re: Yipit LLC d/b/a YipitData v. Emmett et al; 1:24-cv-07854 (JGK)(RFT)**

Dear Judge Koeltl:

We represent M Science and Michael Marrale in the above matter. Today, we will be filing papers on behalf of M Science and Mr. Marrale in opposition to Yipit's motion for a preliminary injunction. We write now, pursuant to Paragraph VII(A)(2) of Your Honor's Individual Practices (dated February 14, 2025), to request that the Court accept M Science's and Michael Marrale's filings in both redacted and sealed/unredacted forms, with the latter including highlights to show the information redacted from the publicly-filed documents as required. In addition, we request that the sealed/unredacted versions of M Science's and Mr. Marrale's filings be given a Viewing Level that only permits the Parties to this action to view the filings which, at present, we understand is set not to include Defendant Zachary Emmett who is pro se.

The reason for M Science's and Mr. Marrale's requests to file their papers in both redacted and sealed/unredacted forms is that it is Yipit's position, in this case, that at least some of the information to be included in M Science's and Mr. Marrale's filings constitutes "Yipit's non-public, commercially sensitive information that, if publicly revealed, could negatively impact Yipit's business and competitive standing." See Doc. No. 64 (letter from L. Smolowe to Your Honor, dated December 5, 2024, addressing the Court's directive to provide a basis for sealing records to be filed in this matter); *see also* Doc. No. 65 (December 6, 2024 So-Ordered letter permitting Defendant Pinsky to file materials in redacted and sealed forms).

By making this application to file their papers in both redacted and sealed forms, M Science and Mr. Marrale do not agree or concede—and, in fact, often dispute—that the information contained in their filings, or any portion thereof, is confidential or proprietary, or otherwise legally protectable. However, M Science and Mr. Marrale acknowledge that the resolution of the parties' disagreement over this central issue remains outstanding. And, because M Science and Mr. Marrale must defend against Yipit's injunction motion by referencing certain information that Yipit has asserted trade secret protection over, we respectfully request that the Court issue an order

Hon. John G. Koeltl  
United States District Judge  
Southern District of New York  
Page - 2 -

allowing M Science and Mr. Marrale to file their papers in both redacted and sealed/unredacted forms to avoid any dispute with Yipit over this issue.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'AJ Shapren', with a stylized flourish extending from the end.

Andrew J. Shapren